

**Federal Personnel Manual System****FPM Letter 410- 31**

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**RETAIN UNTIL SUPERSEDED**

**SUBJECT:** Selection for and Authorization of Training

Washington, D. C. 20415  
January 21, 1982

Heads of Departments and Independent Establishments:

1. This letter transmits regulatory changes (Attachment 1) and Federal Personnel Manual changes (Attachment 2) concerning the procedures for selection for, and authorization of, training.
2. An amendment to 5 CFR 410.302(a) provides that agency merit promotion procedures must be followed for training which is: 1) part of an authorized training agreement; 2) part of a promotion program such as upward mobility or internships; or 3) required before an employee may be considered for a promotion. Appropriate changes (Attachment 3) are made in Chapter 335 on Promotion and Internal Placement in the section on Covered Personnel Actions.
3. Section 5 CFR 410.302(b)(1), which specifies how far down in the organization an agency head may delegate the authority to approve non-Government training over 40 hours, is eliminated. Agency heads now have the flexibility to delegate the training decision to the level each finds the most efficient.
4. An amendment to 5 CFR 410.503(e) provides that an agency must determine that the functions for which training through non-Government facilities is necessary cannot be assumed by other employees, but only when the training would be for more than 120 hours in a single program or for preparation for assignment to a different occupational series. The full impact of this change is explained in the appropriate section of Federal Personnel Manual chapter 410 (Attachment 2).



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Attachments



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## FEDERAL PERSONNEL MANUAL SUPPLEMENT 990-1 BOOK III

## PART 410. TRAINING

(Pertinent provisions of part 410 of the regulations are shown in the right-hand column. Material deleted from these provisions is bracketed. New material--appearing in left-hand column--is inserted where indicated.)

\* \* \* \* \*

(a) (1) Except as provided by subparagraph (2) of this paragraph, an agency must follow its merit promotion procedures when selecting a career or career-conditional employee for training which is: (i) part of an authorized training agreement; (ii) part of a promotion program; or (iii) required before an employee may be considered for a promotion.

(2) Subparagraph (1) of this paragraph does not apply if (i) the agency's merit promotion procedures have already been applied or (ii) the training is associated with a promotion not covered by those procedures.

provide that each assignment of an employee

§ 410.302 Selection and assignment of trainees.

(a) The head of an agency shall establish procedures to assure eligible employees reasonable opportunity for consideration in selection for training which is to result in promotion. Merit promotion programs established under § 335.103 of this chapter shall be followed in selecting career or career-conditional employees for training that is given primarily to prepare trainees for advancement and that is required for promotion.

(b) With respect to selection and assignment of employees to training by, in, and through non-Government facilities, the head of an agency shall provide that:

(1) Authority to authorize this training of more than 40 hours' duration be held at a sufficiently high administrative level to assure that the policies and viewpoints of the agency head are reflected in each decision; and

(2) Each assignment of an employee who is stationed within the continental limits of the United States to training outside these limits be approved by a specifically designated official at the headquarters level of the agency.

(c) The head of an agency shall prescribe such procedures as are necessary to assure that the selection of employees for training is made without regard to race, color, religion, sex, national origin, age, or other factors unrelated to the need for training.

410.503 General prohibitions,  
training through non-  
Government facilities.

\* \* \* \* \*

(e) When training by, in, or through a non-Government facility exceeds 120 hours in a single program, or is used to prepare an employee for a different occupational series, the head of the agency must determine, before authorizing the training, that the functions for which the training would be needed cannot be assumed by other employees.

→ [(e) An agency may authorize the\* training of an employee through a non-Government facility only after the head of the agency concerned determines that appropriate consideration has been given to the then existing or reasonably foreseeable availability and utilization of fully trained employees.]

\*This shows the relocation and revision of the existing regulation (from 5 CFR 410.501 to 5 CFR 410.503) which was effected by changes transmitted by FPM Letter 410-26, dated September 3, 1980.

## FEDERAL PERSONNEL MANUAL

## CHAPTER 410. TRAINING

(Pertinent provisions of FPM chapter 410 are shown in right-hand column. Material deleted from these provisions in bracketed. New material--appearing in left-hand column--is inserted where indicated.)

## CHAPTER 410. TRAINING

3-6. SELECTION AND ASSIGNMENT OF  
EMPLOYEES FOR TRAINING

\* \* \* \* \*

**c. Reasonable opportunity for consideration.**

Each agency must ensure that eligible employees are given a reasonable opportunity for consideration in selections for training which are to result in promotion. (5 CFR 410.302(a)) (If the contemplated training is to be through non-Government facilities, the agency must first ascertain whether, under the circumstances at hand, the training would be authorized in light of the restriction in section 5-3b.) In some instances, merit promotion procedures must be followed--see paragraph d of this section.]

→ **d. Merit promotion procedures.** (1) Merit promotion procedures must be followed in selecting *career or career-conditional* employees for training that is given primarily to prepare trainees for advancement and that is *required for promotion*. (5 CFR 410.302(a)) (Training would be viewed as being required for promotion if an employee would be ineligible for promotion to the position in question if he/she did not possess the knowledges and skills the training is designed to provide.)

(2) University or college courses which are minimum educational requirements set by OPM for the position to which the trainee would be promoted (or for the occupation in which that position falls) would be training *required for promotion*, since the training is designed to provide required knowledges and skills which, according to competent authority, cannot be acquired through any means other than the one contemplated by the training in question (university or college instruction). Positions for which OPM has established minimum educational requirements are identified in chapter 933. The specific requirements for those positions appear in OPM *Handbook X-118, Qualification Standards for White Collar Positions Under the General Schedule*.

**c. Merit promotion procedures.** (1)

Except as provided by paragraph (2) of this subsection, merit promotion procedures must be followed when selecting career and career-conditional employees for the following three types of training:

(a) Training which is part of an authorized training agreement (see chapter 338) allowing them to qualify for a different occupational series.

(b) Training that is part of a promotion program although the promotion may not immediately follow the training. Examples of this are upward mobility programs, internships, apprenticeships and long-term training programs such as Education for Public Management and Congressional Affairs Fellowships.

(c) Training that is required before an employee may be considered qualified for a position. If an occupation has minimum educational qualification requirements (see Handbook X-118, Qualification Standards for White Collar Positions Under the General Schedule), then academic training which fulfills that requirement would be considered as a requirement for eligibility. For example, to qualify as an accountant, 24 credits of accounting are necessary. If an agency wants to send employees not qualified as accountants to training which would qualify them, then it must follow merit promotion procedures for selecting those employees. Another



situation covered by this requirement is selection for the training required for SES candidates before they become eligible for SES positions. If other candidate-type programs are established, they too would be subject to this requirement.

(2) The requirement that an agency follow its merit promotion procedures in making selections for training does not apply under the following circumstances:

(a) The employee to be trained has already been selected under the agency's merit promotion procedures. An example would be a selection for an upward mobility program where training is just one component.

(b) The training is associated with a promotion not covered by the agency's merit promotion procedures. Examples are training associated with a career-ladder promotion or with repromotion to a grade from which an employee was demoted without personal cause and not at his or her request, if those actions are excepted from the agency's merit promotion procedures (see chapter 335).

(5 CFR 410.302(a))

d. Level of selection authority. The head of each

of employees for training by, in, or through non-Government facilities, that each assignment of an employee who is sta-

e. Delegation of approval authority. In general,

(3) Selection for training which would qualify an employee for *reassignment* to a position in a different field of work by providing him/her university or college courses which are minimum educational requirements set by OPM for that field of work would be subject to merit promotion requirements if the position in question has a *known promotion potential* at the time of selection for the training.

[e. Factors for selection. When training, through either Government or non-Government facilities is to be given to some, but not all, employees in a given occupational or organizational group or level, factors such as the following may be considered in selecting from among those who might be trained:

(1) The relative degree of employees' need for training

(2) The relative potential of employees for advancement.

(3) The relative extent to which employees' knowledge, skills, attitudes, or performance are likely to be improved by training.

(4) The relative ability of employees to pass the training on to others upon return to the job.

(5) The relative length of time, and degree to which, the agency expects to benefit from the employees' improved knowledge, skill, attitudes, and performance.

(6) Training opportunities previously afforded employees by the agency.

(7) The employees' own interest in and efforts to improve their work.

[f. Level of selection authority. The head of each agency must provide, in the selection and assignment of employees for training by, in, and through non-Government facilities, that:

(1) Authority to authorize training of more than 40 hours' duration be held at a sufficiently high administrative level to insure that the policies and viewpoints of the agency head are reflected in each decision; and

(2) Each assignment of an employee who is stationed within the continental limits of the United States to training outside these limits be approved by a specifically designated official at the headquarters level of the agency. (5 CFR 410.302(b))

[g. Delegation of approval authority. In general, agencies may delegate authority to approve training through non-Government facilities to whatever extent they consider appropriate within the bounds of good administration (see 51 Comp. Gen. 777 in Appendix A). Judicious decentralization of authority to approve training can contribute considerably to the maximum use of training resources, and the more accurate and timely matching of needs to opportunities.

a. Review of need for training. When training by, in, or through a non-Government facility is for more than 120 hours in a single program or is used to prepare an employee for a different occupational series, the head of the agency must determine that the functions for which the training would be needed cannot be assumed by other employees before authorizing the training. (5 CFR 410.503(e)) If the agency has another available employee(s) who can assume the tasks for which an employee would be trained, the agency shall not train unless training is more economical.

### 5-3. GENERAL CONSTRAINTS

a. Review of need for training. Before authorizing training by, in, or through non-Government facilities, the agency must have given consideration to the existing or reasonably foreseeable availability and use of fully trained employees to meet the agency's need. (5 CFR 410.503(e)) This means that the agency must take appropriate steps to ensure that persons who are in its employ at the time the training is to be authorized—and who possess at that time, or will possess in the reasonably foreseeable future, the knowledges and skills needed by the agency—would not be available to meet that need.]

b. Training for promotion. (1) The training of an

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## FEDERAL PERSONNEL MANUAL

## CHAPTER 335. PROMOTION AND INTERNAL PLACEMENT

(Pertinent provisions of FPM chapter 335 are shown in right-hand column. Material deleted from these provisions is bracketed. New material--appearing in left-hand column--is inserted where indicated.)

## 1-5. COVERED PERSONNEL ACTIONS

a. Competitive procedures in agency promotion plans apply to all promotions under Section 335.102 of the civil service regulations and to the following actions.

\* \* \* \* \*

(3) Selection for training which is part of an authorized training agreement, part of a promotion program (such as upward mobility programs, internships, mobility programs, apprenticeships, and other short or long-term programs leading to promotion), or required before an employee may be considered for a promotion--unless the training is associated with a promotion not covered by the agency's merit promotion procedures.

→ (3) Selection for training which is given primarily to prepare an employee for advancement and is required for promotion (i.e. when eligibility for promotion depends on whether the employee has completed training).

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